



# Bureau of Justice Statistics Special Report

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*Federal Justice Statistics Program*

## Civil Rights Complaints in U.S. District Courts, 1990-98

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In 1998 plaintiffs filed over 250,000 civil complaints in U.S. district courts. In about 42,000 of these cases the plaintiff filed a complaint involving a civil rights-related issue such as discrimination in employment, housing, welfare benefits, or voting rights. These civil rights-related cases (which exclude prisoner petitions) increased from 9% of all Federal civil cases in 1990 to 17% in 1998.

This report is part of a BJS series which describes civil cases filed in the Federal courts. Previously, BJS has reported findings about civil rights prisoner petitions filed by Federal and State inmates<sup>1</sup> and tort trials in Federal courts.<sup>2</sup> Data on civil rights-related cases handled in criminal courts can be found in the annual BJS *Compendium of Federal Justice Statistics*.

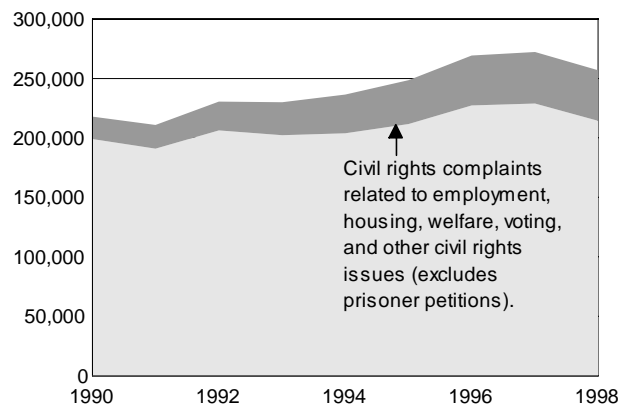
The number of civil rights-related complaints increased between 1990 and 1998 during which time Federal civil rights laws expanded. New laws enacted during the 1990s include the Americans with Disabilities Act of 1990, the Civil Rights Act of 1991, and the

<sup>1</sup>Prisoner Petitions in the Federal Courts, 1980-96, (NCJ 164615).

<sup>2</sup>Federal Tort Trials and Verdicts, 1996-97 (NCJ 172855).

### Highlights

#### Number of civil rights complaints as a portion of all civil cases filed in U.S. district courts, 1990-98



- Between 1990 and 1998 the number of cases in which plaintiffs sought civil remedies related to discrimination in employment, housing, welfare, voting, or other civil rights issues more than doubled from 18,793 to 42,354.
- The growth of civil rights cases has been due largely to the increase in employment cases between private parties.
- The Federal Government was involved as a plaintiff or defendant in about 7% of civil rights-related complaints in 1998 — down from 13% in 1990.
- Between 1990 and 1998 the percentage of civil rights-related

complaints terminated by trial verdict dropped from 8% to 5%, while dismissals increased from 66% to 71%.

- Of the civil rights-related complaints terminated by trial verdict between 1990 and 1998, the percentage decided by a jury increased from 48% to 77%.
- Plaintiffs won just under a third of civil rights trials on average between 1990 and 1998.
- Of the civil rights trial verdicts won by plaintiffs, the percentage awarded monetary damages declined from 83% in 1990 to 76% in 1998.
- In 1998 median plaintiff awards ranged from \$137,000 in employment cases to \$65,000 in housing cases.

National Voter Registration Act of 1993.

The Civil Rights Act of 1991 amended several Federal employment discrimination laws including Title VII of the Civil Rights Act of 1964, the Civil Rights Act of 1871, the Age Discrimination in Employment Act of 1973, the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990. The Civil Rights Act of 1991 also made available compensatory and punitive damages in certain discrimination claims, permitted jury trials for plaintiffs seeking monetary damages, and overturned seven U.S. Supreme Court decisions, effectively broadening the scope of employment practices considered discriminatory.<sup>3</sup>

This study presents information about civil rights-related complaints filed and terminated in U.S. district courts concerning issues such as employment, housing and accommodations, welfare, and voting. Because of limited data describing the statutory provisions litigated, this study does not report the number of cases filed or terminated under specific titles and sections of the U.S. code (see *Methodology*).

This study also does not include civil rights-related grievances filed, investigated, and resolved through administrative channels of the agencies that enforce various Federal civil rights discrimination laws such as the Equal Employment Opportunity Commission (EEOC) in the case of employment discrimination, or the U.S. Department of Housing and Urban Development (HUD) in the case of housing discrimination.

<sup>3</sup>*Wards Cove Packing Co. v. Atonio*, 109 S. Ct. 2115 (1989); *Patterson v. McLean Credit Union*, 109 S. Ct. 2363 (1989); *Martin v. Wilks*, 109 S. Ct. 2180 (1989); *Price Waterhouse v. Hopkins*, 109 S. Ct. 1775 (1989); *Lorance v. AT&T Technologies*, 109 S. Ct. 2261 (1989); *Equal Employment Opportunity Commission v. Aramco*, 111 S. Ct. 1227 (1991); *West Virginia University Hospitals v. Casey*, 111 S. Ct. 1138 (1991).

<sup>4</sup>42 USC § 2000

<sup>5</sup>29 USC § 201

<sup>6</sup>29 USC §§ 621-634

<sup>7</sup>29 USC §§ 793-794; 29 USC §§ 12101-12213

## Trends in civil rights complaints filed in U.S. district courts

Since the passage of the 1991 Civil Rights Act, civil rights complaints related to employment, housing, welfare, voting, and other civil rights-related issues more than doubled from 18,793 filings in 1990 to 43,278 in 1997 (table 1). In 1998 this trend leveled off at 42,354 filings. The proportion of all civil cases that were civil rights-related complaints increased from 9% in 1990 to 17% in 1998.

### Employment

About 65% of the increase in civil rights-related cases (not shown in a table) was due to complaints related to employment issues which nearly tripled from 8,413 in 1990 to 23,735 in 1998 (figure 1).

A person's civil rights in an employment setting are violated when employers discriminate with regards to hiring, promotion or discharge practices, compensation, conditions and privileges of employment, and deprivation of

employment opportunities because of an individual's race, color, religion, sex, national origin,<sup>4,5</sup> age,<sup>6</sup> disability,<sup>7</sup> or because of an individual having engaged in a statutorily protected activity such as filing a charge.

### Housing and accommodations

About 2% of the increase in civil rights-related filings was accounted for by complaints alleging discrimination in

**Table 1. Civil rights-related complaints filed in U.S. district courts, 1990-98**

Year	Number of all civil cases filed	Civil rights-related complaints filed*	
		Percent	Number
1990	217,879	8.6%	18,793
1991	210,890	9.4	19,892
1992	230,509	10.5	24,233
1993	229,850	12.0	27,655
1994	236,391	13.8	32,622
1995	248,335	14.7	36,600
1996	269,132	15.6	42,007
1997	272,027	15.9	43,278
1998	256,787	16.5	42,354

\*Does not include prisoner petitions.

Source: *Annual Report of the Director*, annual. Washington, D.C.: Administrative Office of the United States Courts (table C-2).

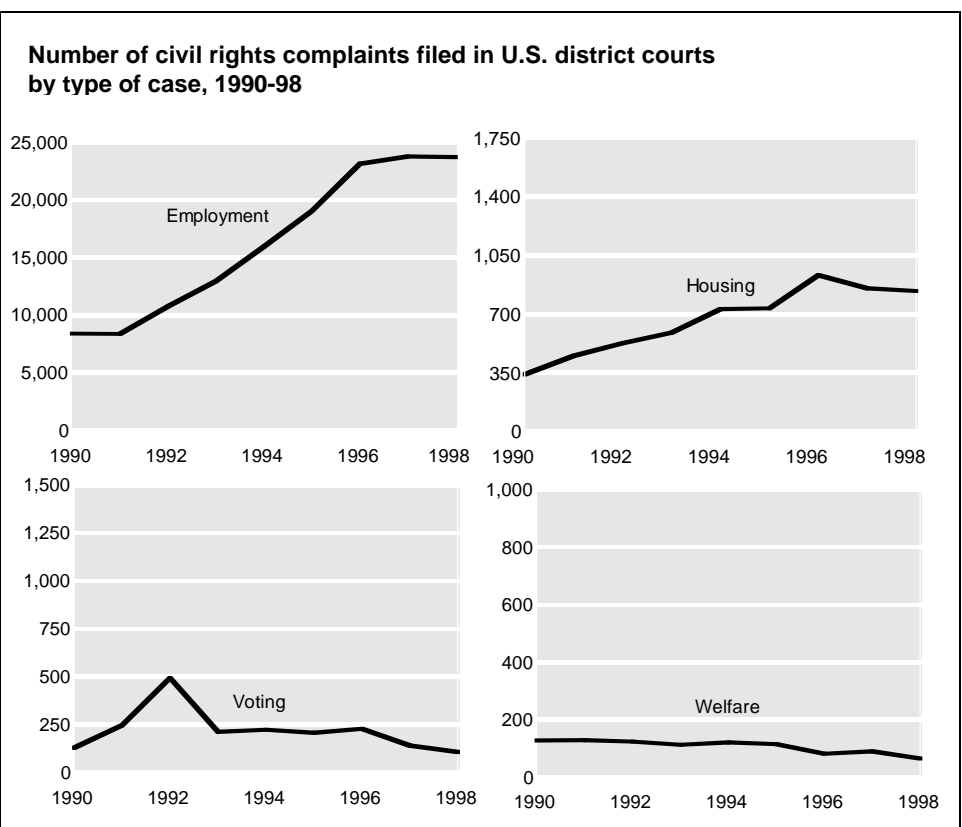


Figure 1

housing and accommodations which rose from 341 to 838 cases between 1990 and 1998.

Pursuant to the Fair Housing Act of 1972 and amendments in 1988,<sup>10</sup> discrimination is prohibited in the rental or lease of apartments, the sale of housing, and the financing of housing<sup>11</sup> because of an individual's race, color, religion, sex, national origin, disability, or families with children. These complaints may also include discrimination in public accommodations such as restaurants or hotels.<sup>12</sup>

#### Welfare and voting

Complaints concerning welfare discrimination declined from 129 to 66 cases between 1990 and 1998, while complaints filed alleging violations of voting rights peaked in 1992. This likely reflects challenges to redistrictings adopted following the 1990 census. Voting complaints, however, remained fairly constant at about 220 cases between 1993 and 1996, declining to 108 cases by 1998.

Violations of a person's rights relating to welfare issues can be brought because of the denial of social security entitlements<sup>13</sup> based on an individual's race, color, religion, sex, or national origin, war pensions, the denial of rehabilitation and other services for families with dependent children, individuals who are elderly, blind, or disabled, or whose income and resources are insufficient to meet the costs of necessary medical services.

Voting rights are violated, for example, when redistricting plans or methods of election prevent minority voters from electing candidates of their choice,<sup>14</sup>

<sup>10</sup>42 USC §§ 3601-3619, 363

<sup>11</sup>15 USC § 1691

<sup>12</sup>Title II of 42 USC § 2000

<sup>13</sup>42 USC § 1983

<sup>14</sup>42 USC § 1973

<sup>15</sup>42 USC §§ 1973aa and 1973aa-6

<sup>16</sup>42 USC § 1973aa-1a

<sup>17</sup>42 USC §§ 1973ee to 1973ee-6

<sup>18</sup>20 USC § 1400

<sup>19</sup>20 USC § 1401 and 28 USC § 2201

<sup>20</sup>29 USC § 754-794

when minority voters who need help in casting a ballot are prevented from receiving help or are prevented from receiving it from a person of their choice,<sup>15</sup> when jurisdictions with substantial language minority populations fail to provide information and assistance in the language used by minority voters,<sup>16</sup> or when polling places are inaccessible to handicapped or elderly individuals.<sup>17</sup>

#### Other civil rights-related complaints

The increase in civil rights complaints concerning "other" civil rights issues accounts for the remaining third of the overall increase in civil rights cases filed between 1990 and 1998 (not shown in a table). Particular types of cases within the "other" category cannot be distinguished for analysis.

Available data on the statutory provisions litigated suggest that these complaints dealt with diverse issues such as the civil rights of handicapped children,<sup>18</sup> the education of children and adults with disabilities,<sup>19</sup> as well as discrimination dealing with vocational disabilities and rehabilitation.<sup>20</sup>

#### Jurisdiction of civil rights-related complaints

About 90% of the civil rights-related complaints filed in U.S. district courts between 1990 and 1998 involved suits

between private parties as opposed to litigation involving the Federal Government (table 2).

Nearly all of these private suits were between parties of the same State involving complaints arising from the interpretation and application of the U.S. Constitution, acts of Congress, or treaties ("Federal question" jurisdiction). This is unlike Federal tort cases which largely are between private parties of different States or parties of a State and citizens, corporations, or subjects of a foreign county ("diversity of citizenship" jurisdiction).<sup>21</sup>

From 1990 to 1998, the proportion of civil rights complaints involving private parties increased slightly from 87% of civil rights complaints in 1990 to about 92% in 1998.

U.S. district courts exercise jurisdiction in civil actions that are either initiated by the U.S. Government ("U.S. plaintiff"),<sup>22</sup> or are brought against the U.S. Government for alleged negligent or wrongful acts resulting in personal injury or property damage ("U.S. defendant").<sup>23</sup> The Federal Government was involved as a plaintiff or defendant in about 7% of civil rights complaints during 1998 — down from 13% in 1990 (table 2).

<sup>21</sup>*Federal Tort Trials and Verdicts, 1996-97* (NCJ 164615).

<sup>22</sup>28 USC §§ 1345 and 1348

<sup>23</sup>28 USC § 1346

**Table 2. Jurisdiction of civil rights-related complaints filed in U.S. district courts, 1990-98**

Year	Total cases filed	Total percent	Jurisdiction			
			Cases involving the U.S. Government as:		Private cases	
			Plaintiff	Defendant	Federal question	Diversity of citizenship
1990	18,793	100%	4.0%	9.2%	86.8%	--
1991	19,892	100	4.1	7.7	85.4	--
1992	24,233	100	2.6	7.3	90.0	--
1993	27,655	100	2.7	7.1	90.2	--
1994	32,622	100	2.2	7.0	90.8	--
1995	36,600	100	1.8	6.4	91.7	--
1996	42,007	100	1.2	5.8	93.1	--
1997	43,278	100	1.3	5.4	93.3	--
1998	42,354	100	1.6	5.6	91.7	1.1

Note: Does not include prisoner petitions.

Source: *Annual Report of the Director*, annual. Washington, D.C.: Administrative Office of the United States Courts (table C-2).

### Private suits

Between 1990 and 1998, the number of civil rights complaints between private parties more than doubled from 16,310 to 38,835. This increase was due largely to the rise in employment cases between private parties which more than tripled from 6,936 in 1990 to 21,540 in 1998 (table 3).

Similarly, civil rights filings involving a private suit related to housing issues more than doubled from 284 cases in 1990 to 747 cases in 1998. The number of welfare civil rights complaints that were private suits declined from a high of 114 cases in 1991 to 55 in 1998.

### U.S. Government as plaintiff

Civil rights-related complaints in which the U.S. Government was the plaintiff declined between 1990 and 1996 from 747 to 486 complaints, but then increased to 672 complaints in 1998 (table 4). This trend was driven by a decrease in employment discrimination complaints filed by the U.S. Government.

Housing cases in which the United States was the plaintiff increased between 1990 to 1994 from 37 cases to 161, but declined thereafter to 115 cases in 1995, 65 in 1996 and 56 in 1998. The United States was the plaintiff least often in civil rights-related voting and welfare cases.

### U.S. Government as defendant

Civil rights complaints in which the United States was a defendant

increased 36% from 1,736 complaints in 1990 to 2,366 in 1998 (table 4). This increase was due primarily to the rise in employment-related complaints against the U.S. Government from 876 in 1990 to 1,320 in 1998 in addition to an increase in the number of "other" civil rights complaints. In 1998, 31 housing, 11 welfare, and 7 voting complaints were filed against the U.S. Government.

**Table 3. Types of civil rights complaints filed in U.S. district courts involving a private suit, 1990-98**

Year	Type of civil rights complaints involving private suits					
	Total number	Employment	Voting	Housing	Welfare	Other*
1990	16,310	6,936	114	284	107	8,869
1991	16,992	6,774	180	341	114	9,583
1992	21,821	9,504	473	419	109	11,316
1993	24,938	11,593	188	444	97	12,616
1994	29,636	14,429	206	532	92	14,377
1995	33,574	17,374	188	582	103	15,327
1996	39,088	21,654	215	829	70	16,320
1997	40,361	22,151	129	791	75	17,215
1998	38,835	21,540	99	747	55	16,394

\*Types of civil rights cases within the "other" category cannot be distinguished.

Source: *Annual Report of the Director*, annual. Washington, D.C.: Administrative Office of the United States Courts (table C-2).

**Table 4. Types of civil rights complaints filed in U.S. district courts with the U.S. Government involved as a plaintiff or defendant, 1990-98**

Year	U.S. Government as plaintiff						U.S. Government as defendant					
	Total	Employment	Voting	Housing	Welfare	Other	Total	Employment	Voting	Housing	Welfare	Other
1990	747	601	10	37	5	94	1,736	876	6	20	17	817
1991	816	627	10	67	3	109	1,532	739	7	27	15	744
1992	639	440	9	75	1	114	1,773	827	12	33	15	886
1993	747	497	14	118	2	116	1,970	872	11	28	15	1,044
1994	718	439	8	161	3	107	2,268	1,097	10	37	27	1,097
1995	668	410	8	115	--	135	2,358	1,275	12	38	13	1,020
1996	486	289	7	65	--	125	2,433	1,209	7	38	13	1,166
1997	561	404	2	39	2	114	2,356	1,241	10	24	14	1,067
1998	672	495	2	56	--	119	2,366	1,320	7	31	11	997

\*Types of civil rights cases within the "other" category cannot be distinguished.

--No cases recorded.

Source: *Annual Report of the Director*, annual. Washington, D.C.: Administrative Office of the United States Courts (table C-2).

## Civil rights-related class action suits

In class action lawsuits a single person or a small group of people represent the interests of a larger group.<sup>24</sup> Class action suits related to civil rights accounted for about 1% of all civil rights complaints filed annually between 1996 and 1998, years for which data were available (not shown in a table).

To maintain a class action, Federal procedure requires that –

- the class must be so large that individual suits would be impracticable;

- there must be legal or factual questions common to the class;
- the claims or defenses of the representative parties must be typical of those of the class;
- the representative parties must adequately address the interests of the class.<sup>25</sup>

Between 1996 and 1998, the number of class action suits filed dealing with civil rights-related issues (excluding prisoner petitions) increased from 213 to 265. This increase was due largely to the rise in suits dealing with employment as well as “other” civil rights-related issues.

Source: *Annual Report of the Director*, annual. Washington, D.C.: Administrative Office of the United States Courts (table X-5).

Year	Total	Employ-ment	Hous-ing	Wel-fare	Vot-ing	Other
1996	213	68	16	3	7	119
1997	217	70	16	12	4	115
1998	265	85	14	14	5	147

Note: Numbers do not include prisoner petitions.

<sup>24</sup>Garner, Bryan A. (ed.) 1996, *Black's Law Dictionary*, West Publishing Co.

<sup>25</sup>Fed. R. Civ. P.23

## Civil rights prisoner petitions filed in Federal courts by Federal and State inmates

Since 1941 prisoners have had direct access to the courts for claims alleging violations by State officials of certain constitutional rights such as the right to religious freedom, speech, association, due process, protection from racial discrimination and cruel and unusual punishment.<sup>26</sup>

In 1963 the Supreme Court held that inmates also may bring lawsuits against Federal officials who violate their constitutional rights.<sup>27</sup> Pursuant to the Civil Rights of Institutionalized Persons Act<sup>28</sup> passed by Congress in 1980, however, inmates must exhaust State-level administrative remedies before filing their petitions in the

Federal courts, thereby reserving the Federal courts for more serious civil rights violations and constitutional issues.<sup>29</sup>

BJS previously reported that the number of Federal and State inmates that filed complaints alleging civil rights violations by government officials (“civil rights prisoner petitions”) increased between 1990 and 1995 from 25,992 to 41,679. They declined in 1996 to 41,215 and to 26,462 by 1998. This decline followed the Prison Litigation Reform Act of 1996<sup>30</sup> which placed restrictions on civil rights complaints filed by inmates in Federal court. The act, for example, requires inmates to show physical injury to receive damages for mental or emotional injury suffered while in custody, and provides for sanctions on Federal inmates who abuse the court system.

Civil rights prisoner petitions were brought primarily against State officials. Less than 5% in any given year were brought against Federal officials.

Year	Total*	Federal inmates	State inmates
1990	25,992	1,149	24,843
1991	26,042	999	25,043
1992	30,555	910	29,645
1993	33,933	915	33,018
1994	39,065	1,140	37,925
1995	41,679	1,110	40,569
1996	41,215	1,219	39,996
1997	28,635	974	27,658
1998	26,462	983	25,478

\*Includes prison condition cases.

Source: *Prisoner Petitions in Federal Courts, 1980-1996*, BJS report, NCJ 164615 and *Annual Report of the Director*, annual. Washington, D.C.: Administrative Office of the United States Courts (table C-2).

Civil rights prisoner petitions have included issues involving violence by other inmates,<sup>31</sup> medical treatment,<sup>32</sup> due process in disciplinary hearings,<sup>33</sup> access to law libraries,<sup>34</sup> and excessive force by correctional officers.<sup>35</sup>

See BJS discussion paper, *Challenging the Conditions of Prisons and Jails, 1995* for further discussion about prisoners’ rights, the conditions of confinement, and litigation brought under Section 1983 of the U.S. Code.

<sup>26</sup>*Ex parte Hull*, 312 U.S. 546 (1941).

<sup>27</sup>*United States v. Muniz*, 374 U.S. 150 (1963).

<sup>28</sup>Pub. L. No. 96-247, 97 Stat. 349 (1980).

<sup>29</sup>42 USC § 1997(e).

<sup>30</sup>Pub. L. No. 104-134, 110 Stat. 1321 (codified as amended in scattered sections of 18, 28, and 42 U.S.C.).

<sup>31</sup>*Farmer v. Brennan*, 114 U.S. 1970 (1994).

<sup>32</sup>*Estelle v. Gamble*, 429 U.S. 97, 103 (1976).

<sup>33</sup>*Wolff v. McDonnell*, 418 U.S. 539 (1974).

<sup>34</sup>*Bounds v. Smith*, 430 U.S. 817 (1977).

<sup>35</sup>*Hudson v. McMillian*, 112 U.S. 995 (1992).

## Disposition of civil rights complaints filed

The majority of civil rights complaints terminated between 1990 and 1998 were disposed of by some form of a dismissal and about a third by a judgment for the plaintiff or defendant (table 5).

Dismissals include cases where: the parties settled out of court ("settled"), the plaintiff voluntarily withdrew the

action from judicial review ("voluntary"), there was lack of jurisdiction over the subject matter or the person ("lack of jurisdiction"), and litigant failure to pursue the case ("want of prosecution").

Apart from trial verdicts, "other" judgments for the plaintiff or defendant include judgments by default, consent, motions before trial, and judgments through formal arbitration procedures adopted by the court.

Between 1990 and 1998, the percentage of civil rights complaints dismissed from U.S. district court increased from 66% to 71%, while judgments decreased from 34% to 29% (table 5).

The increase in dismissals was driven by a rise in the proportion of out of court settlements — increasing from 31% to 35% between 1990 and 1998, as well as voluntary dismissals — increasing from 8% to 13%.<sup>36</sup>

The proportion of dismissals due to lack of jurisdiction declined from 9% in 1990 to 2% by 1998, while civil rights complaints dismissed because of want of prosecution remained steady at an average of about 5% annually.

The percentage of civil rights complaints disposed of by trial verdict or some other sort of judgment for the plaintiff or defendant declined from 8% in 1990 to 5% in 1998.

Among employment complaints alone during 1998, about 39% were disposed of by an out of court settlement — up from 35% in 1990; voluntary dismissals increased from 9% to 14%. During the same period, the proportion of employment complaints disposed of by trial declined from 9% in 1990 to 5% in 1998 (not shown in a table).

## Cases disposed of by trial

### Jury and bench trials

Of the 1,386 civil rights complaints disposed of by trial in U.S. district courts during 1990, 48% were disposed of by jury verdict, 44% by the judgment of a judge or magistrate judge, and 8% the result of a directed verdict (table 6). By 1998, 77% of the 1,959 civil rights cases disposed of by trial were decided by a jury, 17% by a judge, and 6% by directed verdict.<sup>37</sup>

<sup>36</sup>Section 118 of the Civil Rights Act of 1991 encouraged the use of alternative means of resolving disputes such as settlements, negotiations, conciliation, fact finding, and arbitration.

<sup>37</sup>The Civil Rights Act of 1991 allows jury trials under Title VII when a plaintiff(s) seeks compensatory or punitive damages.

**Table 5. Disposition of civil rights complaints terminated in U.S. district courts, 1990-98**

Year	Number of civil rights complaints disposed <sup>a</sup>	Percent of cases disposed								
		Dismissed						Judgment		
		Total	Settled	Voluntary	Lack of jurisdiction	Want of prosecution	Other	Total	Trial <sup>b</sup>	Other <sup>c</sup>
1990	17,811	65.6%	30.7%	8.0%	8.5%	5.1%	13.3%	34.4%	7.8%	26.6%
1991	17,975	67.2	31.5	8.8	5.5	5.4	16.0	32.9	7.6	25.3
1992	25,094	65.9	31.5	10.3	2.6	5.0	16.5	34.1	7.3	26.8
1993	23,416	67.5	31.5	10.4	2.5	4.6	18.5	32.4	6.6	25.8
1994	26,596	69.4	34.8	11.0	2.3	3.8	17.6	30.6	6.7	23.9
1995	30,175	69.4	33.4	11.8	2.0	4.1	18.1	30.6	6.0	24.6
1996	34,986	69.7	33.7	11.6	1.8	4.1	18.6	30.3	5.7	24.6
1997	38,131	70.5	34.2	12.5	1.5	4.1	18.2	29.5	5.2	24.4
1998	40,185	70.9	35.2	12.5	1.9	4.0	17.4	29.2	4.9	24.3

Note: Does not include prisoner petitions. Percentages may not sum to total due to rounding.

<sup>a</sup>Excludes transfers, remands, and statistical closures.

<sup>b</sup>Trial includes cases disposed of by jury verdict, directed verdict, or bench trial. In some cases, the parties may have settled before the completion of the trial.

<sup>c</sup>Includes judgments by default, consent, a motion before trial, judgment of arbitrator, or by some other final judgment method.

Source: Administrative Office of the U.S. Courts, Civil Master File, annual.

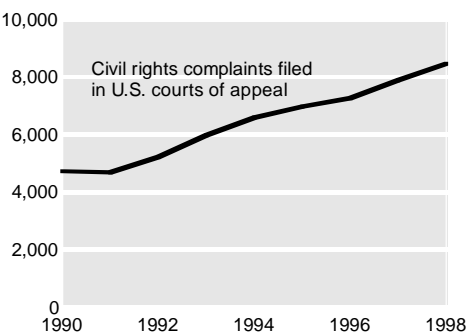
## Civil rights complaints filed in U.S. courts of appeal

Civil rights complaints filed in U.S. courts of appeal increased by about 80% from 4,729 cases in 1990 to 8,466 cases in 1998. Over half (56%) of this increase was due to the rise in civil rights appeals dealing with employment matters (not shown).

Civil rights-related appeals as a proportion of all civil cases filed in U.S. courts of appeal increased from 17% in 1990 to 20% in 1998.

Appellate cases filed that were between private parties increased by about 89% from 3,915 cases in 1990 to 7,405 in 1998.

Those in which the U.S. Government was the plaintiff declined from 121 to 98 cases between 1990 and 1998.



Source: *Annual Report of the Director*, annual. Washington, D.C.: Administrative Office of the United States Courts (table B-1A).

Among employment cases, the proportion of jury verdicts increased from 35% in 1990 to 78% in 1998. The proportion of jury verdicts among housing cases increased also from 35% to 65% during the period (figure 2).

By contrast, jury trials were less common among welfare and voting cases disposed of by trial in U.S. district courts. In 1998, 1 of the 9 voting rights trials was disposed of by jury verdict, while in 1998 a jury disposed of 1 of the 3 welfare rights complaints disposed of by trial verdict (not shown in a table).

*Plaintiff winners and awards*

Plaintiffs won in over a quarter of civil rights-related complaints disposed of by trial annually in U.S. district courts between 1990 and 1998 (table 7).

Of the civil rights trial cases won by plaintiffs, the percent awarded monetary damages declined overall from 83% in 1990 to 76% in 1998. Median monetary damages awarded to plaintiffs declined between 1990 and 1993 from \$184,000 to \$62,000, but rose between 1994 and 1998 from \$75,000 to \$125,000.

Of plaintiff winners who received monetary awards, the percentage that were in amounts less than \$500,000 increased from 57% in 1990 to 76% in

1998. The percentage that were in amounts of \$10 million or more increased also from 1% of damages awarded to plaintiff winners in 1990 to 9% in 1998.

Civil rights-related complaints brought under Title VII of the Civil Rights Act of 1964 or the Americans with Disabilities Act of 1990 typically involve a compensatory award for economic damages. These types of damages may include losses associated with back pay, interest on back pay, lost benefits, attorney fees, some litigation costs, or other financial losses that the court deems appropriate as a result of defendant conduct.

The Civil Rights Act of 1991 extended what damages could be sought by plaintiffs in these types of cases by allowing claims for non economic compensatory damages as well as punitive damages. Non economic compensatory damages reimburse the plaintiff for losses such as emotional pain, suffering, inconvenience, mental anguish, future monetary losses, as well as loss of enjoyment of life.

Punitive damages, on the other hand, are intended to punish a defendant(s) who acted with recklessness, malice, or deceit and are awarded in addition to compensatory damages except when the respondent is a government,

**Percent of employment and housing civil rights trials disposed of by a jury**

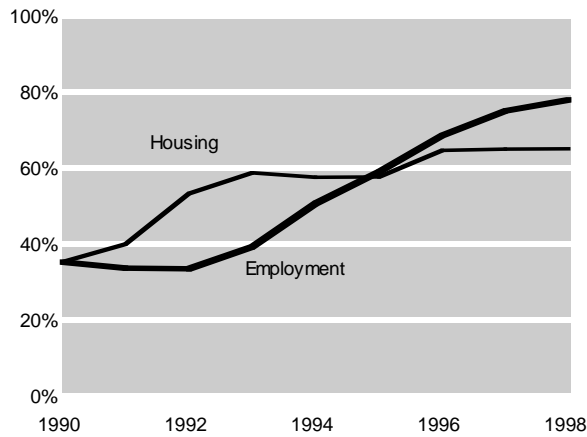


Figure 2

**Table 6. Civil rights complaints disposed of by trial verdict in U.S. district courts, 1990-98**

Year	Number of cases disposed of by trial*	Percent of trial cases disposed of by —		
		Jury trial	Court trial	Directed verdict
1990	1,386	47.7%	44.2%	8.1%
1991	1,360	47.4	45.4	7.3
1992	1,842	49.9	45.2	4.9
1993	1,553	54.8	39.3	5.9
1994	1,793	61.1	33.6	4.9
1995	1,801	64.6	30.5	4.9
1996	1,981	71.3	23.9	4.8
1997	1,977	74.2	20.0	5.8
1998	1,959	77.0	17.4	5.6

\*In some cases, the parties may have settled before the completion of the trial. Source: Administrative Office of the U.S. Courts, Civil Master File, annual.

**Table 7. Plaintiff winners and awards in civil rights complaints terminated by trial in U.S. district courts, 1990-1998**

Year	Number of cases terminated by trial verdict*	Plaintiff winners							
		Total		Monetary awards			Award amount		
		percent	total number	Percent	Number	Median	Less than \$500,000	\$1 million or more	\$10 million or more
1990	1,384	27.7%	384	82.6%	317	\$184,000	56.9%	38.4%	1.3%
1991	1,351	28.1	380	85.5	323	173,000	61.6	36.2	1.5
1992	1,838	30.9	568	79.4	451	100,000	67.3	27.4	4.4
1993	1,549	27.0	418	83.5	349	62,000	81.1	14.0	4.0
1994	1,793	28.6	513	82.7	424	75,000	84.7	9.9	5.4
1995	1,799	26.1	470	81.4	383	100,000	80.7	13.3	8.6
1996	1,979	30.4	602	81.1	488	100,000	77.9	15.5	9.8
1997	1,974	31.6	624	79.4	495	110,000	77.6	15.6	9.7
1998	1,954	29.9	585	76.4	447	125,000	76.3	14.3	8.9

\*Number of trial cases disposed for which a judgment was known. Includes jury trials, bench trials, and directed verdicts. Source: Administrative Office of the U.S. Courts, Civil Master File, annual.

government agency, or political subdivision.

The Civil Rights Act of 1991, however, capped the total amount of compensatory and punitive damages that can be awarded, depending on the size of the employer (the cap on awards does not apply to complaints of ethnic or racial discrimination).

The sum of compensatory damages and punitive damages is not to exceed \$50,000 for employers with 15 to 100 employees; \$100,000 for employers with 101 to 200 employees; \$200,000 for employers with 201 to 500 employees; and, \$300,000 for employers with more than 500 employees.

In this report, award amounts include both compensatory and punitive damages. The types of award amounts cannot be distinguished in the data. In addition, monetary information presented in this report is for civil rights cases in which monetary

damages were awarded. Excluded from this analysis were civil rights-related complaints in which only court costs or court costs and attorneys fees were awarded.

*Monetary damages awarded by juries and judges*

Plaintiffs were more successful in jury than bench trials among civil rights-related complaints disposed of by trial verdict in U.S. district courts between 1990 and 1998. On average, plaintiffs won in about a third (35%) of jury trials annually compared to about a quarter (23%) of bench trials (table 8).

In addition, juries more often than judges awarded monetary damages to plaintiff winners. Juries awarded damages in 210 of 232 (91%) cases won by plaintiffs in 1990 while judges awarded monetary damages in about 98 of 138 (71%) cases won by plaintiffs. In 1998, 396 of 494 (80%) plaintiff winners were awarded

monetary damages by juries while 50 of 89 (56%) plaintiff winners were awarded monetary damages by judges.

Over time, however, plaintiff winners were less likely to have been awarded monetary damages regardless of the type of trial. Among civil rights cases disposed of by jury trial, the percentage of plaintiff winners who received monetary awards declined from 91% in 1990 to 80% by 1998. Among cases disposed of by bench trial, the percentage of plaintiff winners awarded monetary damages declined to 56% in 1998 from 71% in 1990 (figure 3).

Dollar amounts awarded to plaintiff winners also differed by type of trial. On average between 1990 and 1998, median jury awards to plaintiff winners in civil rights trials were more than twice the amount of damages awarded in bench trials (table 8). The median award among jury trials in 1990 was \$210,000 compared to a median award of \$119,000 among bench trials. In 1998, juries awarded a median of \$129,000 to plaintiff winners compared to \$87,000 among bench trials.

In both jury and bench trials, award amounts of less than \$500,000 to plaintiff winners increased from just over half in 1990 to over three-quarters in 1998. At the same time, award amounts of \$10 million or more increased from 2% to about 10%.

**Table 8. Plaintiff winners and awards in civil rights cases terminated in U.S. district courts by type of trial, 1990-98**

Year	Cases disposed of by jury trial <sup>a</sup>	Plaintiff winners in jury trials						
		Total percent	Total number	Number with monetary awards	Award amount			
					Median	Less than \$500,000	\$1 million or more	\$10 million or more
1990	661	35.1%	232	210	\$210,000	56.4%	37.9%	1.9%
1991	642	37.4	240	228	203,000	59.6	37.3	1.3
1992	918	38.5	353	319	141,000	65.3	28.7	5.9
1993	848	32.7	277	254	85,000	77.2	16.9	5.1
1994	1,104	33.0	364	317	90,000	82.3	10.7	6.3
1995	1,162	31.1	361	312	120,000	80.8	13.5	9.3
1996	1,410	34.0	480	410	110,000	77.3	15.4	9.8
1997	1,466	35.9	527	434	120,000	76.5	15.9	10.1
1998	1,505	32.8	494	396	129,000	75.8	14.4	8.8

Year	Cases disposed of by bench trial <sup>b</sup>	Plaintiff winners in bench trials						
		Total percent	Total number	Number with monetary awards	Award amount			
					Median	Less than \$500,000	\$1 million or more	\$10 million or more
1990	612	22.5%	138	98	\$119,000	56.1%	40.8%	--
1991	612	20.4	125	88	92,000	63.6	36.4	2.3%
1992	830	25.3	210	128	50,000	72.1	24.0	0.8
1993	611	21.6	132	91	35,000	91.2	6.6	1.1
1994	602	23.9	144	103	31,000	92.2	6.8	2.9
1995	549	18.9	104	68	40,000	80.9	11.8	4.4
1996	473	24.5	116	74	66,000	82.4	14.9	8.1
1997	393	23.2	91	56	61,000	85.7	12.5	5.4
1998	339	26.3	89	50	87,000	80.0	14.0	10.0

<sup>a</sup>Number of jury trial cases disposed for which a judgment was known.  
<sup>b</sup>Number of bench trial cases disposed for which a judgment was known.  
 Directed verdicts not included.  
 -- No cases recorded.  
 Median amounts are rounded to the nearest thousand.  
 Source: Administrative Office of the U.S. Courts, Civil Master File, annual.

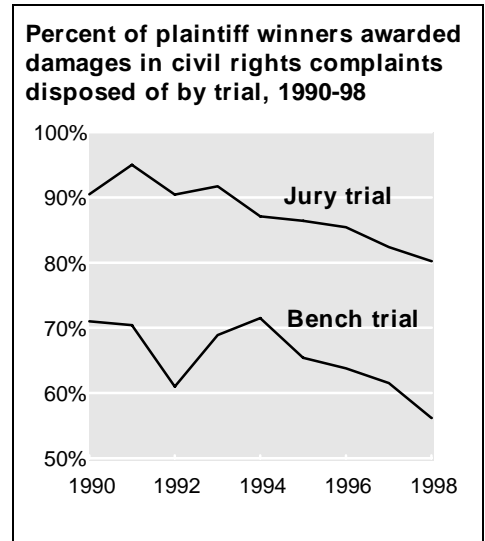


Figure 3



*Monetary damages awarded in different types of civil rights-related trials*

Plaintiff winners and awards varied across types of civil rights cases disposed of by trial verdict in U.S. district courts. The percentage of plaintiff winners among employment trial cases increased gradually from 24% in 1990 to 36% in 1998 (table 9). On average, about 8 in 10 of these plaintiff winners were awarded monetary damages annually, with a median award of \$450,000 in 1990, which declined to \$62,000 by 1993, and rose to \$137,000 in 1998.

By contrast, the percentage of plaintiff winners among civil rights trials dealing with housing issues declined overall from a high of 60% in 1991 to 30% in 1998 (table 9). Each year about three-fourths of plaintiff winners in housing trials were awarded monetary damages with median award amounts that declined from \$150,000 in 1991, to \$10,000 in 1995 and rose to \$65,000 in 1998.

Among welfare and voting civil rights-related trials disposed of in U.S. district courts between 1990 and 1998, plaintiff winners and monetary awards varied.

For example, among welfare cases disposed of by trial verdict, the 1 plaintiff winner was awarded \$160,000 in damages in 1990, while in 1995, 1 out of 2 plaintiff winners was awarded monetary damages of \$40,000 (not shown in a table).

Among the 48 plaintiff winners of voting rights cases disposed of by trial verdict, 7 were awarded monetary damages. All but 1 of these 7 were awarded less than \$500,000 (not shown in a table).

**Table 9. Winners and awards in civil rights cases terminated by trial verdict in U.S. district courts by type of case, 1990-98**

Case type	Year	Civil rights cases terminated by trial <sup>a</sup>	Total percent	Total number	Number of monetary awards	Plaintiff winners			
						Median (in thousands)	Less than \$500,000	\$1 million or more	\$10 million or more
Employment	1990	715	23.8%	170	143	\$450	50.3%	42.7%	1.4%
	1991	711	26.4	188	155	188	60.0	39.4	1.3
	1992	949	28.0	266	216	117	68.5	24.5	4.2
	1993	803	25.7	206	169	62	85.8	8.3	2.4
	1994	916	30.9	283	250	90	87.6	7.6	3.6
	1995	1,016	26.5	269	229	116	80.8	13.5	8.7
	1996	1,106	32.6	361	299	125	78.6	14.7	8.4
	1997	1,167	34.4	401	325	125	78.8	13.5	10.2
	1998	1,083	35.5	384	302	137	77.8	14.2	10.6
Housing	1990	17	17.6%	3	2	\$1,450	50.0%	50.0%	--
	1991	25	60.0	15	11	150	63.6	36.4	--
	1992	30	50.0	15	11	24	72.7	27.3	9.1%
	1993	34	52.9	18	15	42	93.3	6.7	--
	1994	33	51.5	17	15	11	80.0	13.3	--
	1995	26	42.3	11	8	10	100.0	--	--
	1996	34	47.1	16	12	29	91.7	8.3	8.3
	1997	39	48.7	19	14	22	92.9	7.1	7.1
	1998	43	30.2	13	9	65	66.7	11.1	--
Other <sup>b</sup>	1990	638	32.0%	204	169	\$142	62.9%	34.1%	1.2%
	1991	607	29.0	176	157	133	63.1	33.1	1.9
	1992	829	32.6	270	222	104	66.1	29.9	4.5
	1993	700	27.3	191	165	67	75.2	20.6	6.1
	1994	829	25.1	208	158	55	80.4	13.3	8.9
	1995	742	24.4	181	144	76	79.2	13.9	9.0
	1996	817	26.7	218	177	80	75.7	17.5	12.4
	1997	762	26.7	203	156	96	73.7	20.5	9.0
	1998	816	22.5	184	135	110	73.3	14.8	5.9

--No cases recorded.

<sup>a</sup>Number of cases disposed of by trial for which a winner was known.

<sup>b</sup>Types of civil rights case within the "other" category cannot be distinguished.

Source: Administrative Office of the U.S. Courts, Civil Master File, annual.

## Employment discrimination trials in State courts of general jurisdiction

According to BJS Bulletin *Civil Trial Cases and Verdicts in Large Counties, 1996*, an estimated 311 employment discrimination cases, 2% of all cases, were disposed of by trial in State courts of general jurisdiction in the Nation's 75 largest counties during 1996.<sup>38</sup>

The most common type of case was one in which an individual sued a corporation (62%) followed by those in which an individual sued a State or local government (22%).

About 67% of the 311 cases were disposed of by a jury trial and 28% by

a bench trial. Plaintiffs were more successful in jury trials — winning 48% of the time, and less successful in bench cases — winning 26% of the time.

Plaintiff winners in employment discrimination cases were awarded a total of \$56,000,000 in compensatory and punitive damages during 1996. The median total award was \$200,000. About 43% of plaintiff winners were awarded over \$250,000 and 12% were awarded \$1 million or more.

About 25 of the 128 plaintiff winners were awarded punitive damages with a median of \$205,000. In about 8 of the 25 cases in which punitive damages were awarded, the punitive awards were greater than the compensatory damage award.

Civil trial cases in large counties, 1996

15,683

|  
Employment  
discrimination  
cases

311

|  
Plaintiffs  
won

128

|  
Punitive damages  
awarded

25

Half of employment discrimination trials took 22 months or more to go from filing of the complaint to final verdict or judgment. Within 2 years about 56% of cases were disposed of.

<sup>38</sup>*Civil Trial Cases and Verdicts in Large Counties, 1996*, NCJ 173426.

## Criminal civil rights prosecutions

In addition to civil cases dealing with civil rights-related issues in which the U.S. Government is the plaintiff, the U.S. Government also prosecutes criminal matters involving the deprivation of federally protected rights.

Examples of criminal matters prosecuted include: allegations of official misconduct by Federal, State, and local law enforcement personnel; acts of racial, ethnic, and religious violence where defendants were members of organized hate groups; interference with the exercise of religious beliefs and the destruction of religious property; obstruction of entrance to reproductive health care clinics; and the victimization of migrant workers and other minorities in violation of involuntary servitude and peonage statutes.

In 1998 U.S. attorneys concluded investigations against 2,153 suspects, up from 1,916 suspects in 1994.<sup>39</sup> Suspects in civil rights criminal matters concluded accounted for about 2% of suspects investigated in all criminal matters concluded annually.

The percentage of suspects in civil rights criminal matters concluded that were prosecuted in U.S. district courts increased steadily from 4.6% in 1990 to 6.9% in 1997.

<sup>39</sup>Data prior to 1994 are not directly comparable since they include appellate cases handled by U.S. attorneys.

Year	All suspects in criminal matters concluded	Suspects in civil rights criminal matters concluded			
		Number	Percent Prosecuted in U.S. district court	Declined	Disposed by U.S. magistrates
1994	94,980	1,916	4.6%	95.4%	0.1%
1995	102,309	1,904	5.0	94.9	0.1
1996	98,454	1,559	6.2	93.6	0.2
1997	99,459	1,684	6.9	93.0	0.1
1998	106,022	2,153	5.5	94.3	0.1

Note: These data are not directly comparable to data in 1993 or prior which included appellate cases handled by U.S. attorneys. Source: *Compendium of Federal Justice Statistics*, Bureau of Justice Statistics.

In the vast majority of matters investigated, the prosecutor declined to prosecute or did not file a case. Declinations averaged about 94% per year between 1990 and 1998. Less than 1% of matters were disposed by U.S. magistrates annually.

For more information about Federal criminal cases, see the *Compendium of Federal Justice Statistics* or access the Federal Justice Statistics Resource Center located on the Internet at <http://fjsrc.urban.org>.

## Case processing time

The average number of months from filing of civil rights complaints to disposition by trial verdict declined slightly from 15 months in 1990 to 13 months in 1998 (table 10). Half of the complaints were disposed of in 11 months or more.

In 1998, 88% of civil rights-related complaints went from filing to termination within 2 years — up from 82% in 1990. Within 4 years, 96% of civil rights-related complaints were terminated in 1990 compared to 99% by 1998 (figure 4).

**Table 10. Months from filing of complaint to disposition among civil rights-related cases disposed of in U.S. district courts, 1990-98**

Year	Number disposed*	Months	
		Median	Mean
1990	17,521	11.2	15.4
1991	17,654	11.1	15.5
1992	24,542	10.5	15.0
1993	22,732	10.0	13.5
1994	26,113	9.8	12.9
1995	29,446	10.1	13.0
1996	34,338	10.3	12.8
1997	37,578	10.5	12.8
1998	39,756	10.9	13.1

\*Excludes transfers, remands, and statistical closures.

Source: Administrative Office of the U.S. Courts, Civil Master File, annual.

The median case processing time for civil rights-related complaints disposed of by trial verdict declined slightly from 20 to 19 months between 1990 and 1998 (not shown in a table).

The drop in the time from filing to trial verdict was due primarily to a slight downward trend in the case processing time among employment cases disposed of by trial verdict with a median of 20 months in 1990, down to 18 months by 1998 (not shown in a table).

On average during the time period, the median case processing time for housing cases disposed of by trial was 16 months, voting cases 20, and welfare cases 26 months (not shown in a table).

## Methodology

The primary source of data presented in this report is the Administrative Office of the U.S. Courts Civil Master File. Data tabulations were prepared from the BJS staff analysis of source agency data sets. The Federal civil rights categories used in this report are based on the codes established by the Administrative Office of the United States Courts (AOUSC). Case level information is provided by individual U.S. district courts, which submit data

to the AOUSC. As a result, no detailed information is available about civil rights-related cases coded as “other.” For civil rights cases that involved more than one action filed, the AOUSC instructs the plaintiff’s attorney, if the cause fits more than one nature of suit, to select the most definitive. It is the first nature of the suit code that was used in the analysis for this report.

For civil rights-related complaints where more than one basis of jurisdiction applies, the case was coded according to the highest priority jurisdiction. Cases in which the U.S. Government is the plaintiff have the highest priority, followed by U.S. Government as defendant, then Federal questions.

Calculations pertaining to trial winners and their award amounts were based on cases for which the winner and award amount was known and does not include instances where both parties won the case in part. Differences between known amounts and those unknown are not quantifiable. Winners were unknown in less than 1% of trial cases yearly from 1990 to 1998. In 4% or fewer of cases disposed of by trial per year, both the plaintiff and defendant won the case.

Although the courts record the title and section of the U.S. code for each case, this data field is not required by the AOUSC Statistics Division. It is not recommended for statistical analysis. For a more detailed explanation of the difficulties associated with the title and section fields of the AOUSC civil file, see the *Report to the Subcommittee on Judicial Statistics* on “Increase in Civil Rights Filings,” prepared by the Analytical Services Office of the Administrative Office of the U.S. Courts.

**Between 1990 and 1998, the percentage of civil rights complaints terminated within 2 years increased from 82% to 88%**

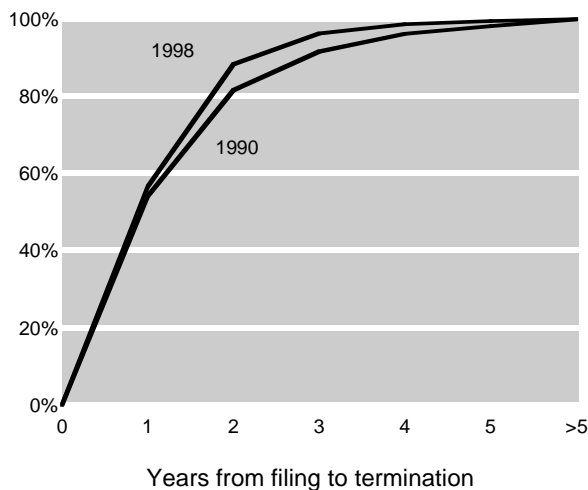


Figure 4

## Appendix A. Selected Federal civil rights statutes

### Employment

*The Civil Rights Acts of 1866 and 1871* (42 USC § 1983; 42 USC § 1981). Following the U.S. Civil War (1860-65), these civil rights acts were established to enforce the 13th, 14th, and 15th amendments to the U.S. Constitution. The 1866 act prohibits racial discrimination in the making and enforcement of contracts among public and private employers. The 1871 act deals with civil rights violations by government entities. In recent years, these civil rights acts increasingly have been used in employment discrimination cases.

*The Equal Pay Act of 1963* (29 USC § 201) requires employers to pay men and women equal pay for equal working conditions.

*Title VII of the Civil Rights Act of 1964* (42 USC § 2000) prohibits employers with 15 employees or more from discriminating on the basis of race, color, religion, sex, or national origin.

*The Age Discrimination in Employment Act of 1967* (29 USC §§ 621-634) prohibits discrimination on the basis of age against persons 40 years of age or older. This act applies to employers with 20 employees or more. This Act was amended by the *Older Workers Benefit Protection Act* in 1990 (29 USC § 626f) to ensure that older workers have complete and accurate information about their benefits and are not pressured into waiving their rights under the Age Discrimination in Employment Act (ADEA).

*The Rehabilitation Act of 1973* (29 USC §§ 793-794) prohibits government contractors with contracts of \$2,500 or more from discriminating against individuals with physical or mental handicaps.

In addition, government contracts pursuant to Executive Order 11246 must contain an equal opportunity clause and must develop and maintain an affirmative action plan. Vietnam veterans may benefit from affirmative action plans in government contracts under the *Vietnam Veterans Readjustment Assistance Act* of 1974, and the employment of aliens is dealt with in the *Immigration Reform and Control Act*.

*The Pregnancy Discrimination Act of 1978* (42 USC § 2000) amended Title VII to prohibit discrimination against employees or job applicants on the basis of pregnancy and required employers to treat pregnant employees in the same way as employees with other medical disabilities.

*The Americans with Disabilities Act of 1990* (29 USC §§ 12101-12213) prohibits discrimination against individuals with disabilities in employment, public services, and public accommodations.

*The Civil Rights Act of 1991* (42 USC § 2000e) amended several of the Federal employment discrimination laws including Title VII of the Civil Rights Act of 1964, the Civil Rights Act of 1866, the ADEA, the Rehabilitation Act, and the Americans with Disabilities Act (ADA).

The act, for example, amended Title VII and the ADA to provide the right to a jury trial and punitive damages (not to exceed \$300,000); it amended the Civil Rights Act of 1866 to prohibit racial harassment in the workplace and in post-hire employment conduct rather than just in hiring and promotions.

### Housing and accommodations

*The Civil Rights Act of 1866* (42 USC § 1982) ensures that all citizens of the United States shall have the same right, in every State and Territory, as is enjoyed by white citizens to inherit, purchase, lease, sell, hold, and convey real and personal property.

*The Fair Housing Act* (42 USC §§ 3601-3619) prohibits discrimination in various types of housing transactions such as sales, renting, and financing, on the basis of race, religion, sex, or national origin.

*The Fair Housing Amendments Act of 1988* expanded the Fair Housing Act to prohibit discriminatory housing practices based on handicap and familial status and provided for enhanced government enforcement of the act, including the recovery of monetary penalties in cases where discrimination is found.

*The Equal Credit Opportunity Act* (15 USC § 1691) prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age, because all or part of the applicant's income derives from any public assistance program, or because the applicant has in good faith exercised any right under the *Consumer Credit Protection Act*.

*Title II of the Civil Rights Act of 1964* (42 USC § 2000) prohibits discrimination based on race, color, religion, and national origin in places of public accommodation, such as hotels, restaurants, and certain places of entertainment.

### Voting

*The Voting Rights Act of 1965* (42 USC §§ 1973 to 1973bb-1) protects racial and language minorities from discrimination in the electoral process and from being denied the fair opportunity to elect candidates of their choice.

*The Voting Accessibility for the Elderly and Handicapped Act of 1984* (42 USC § 1973ee to 1973ee-6) ensures access for handicapped and elderly individuals to polling places for Federal elections.

*The Uniformed and Overseas Citizens Absentee Voting Act of 1986* (42 USC § 1973ff to 1973ff-6) enables members of the Armed Forces and other U.S. citizens who are abroad to register and vote absentee in presidential and congressional elections.

*The National Voter Registration Act of 1993* (42 USC § 1973gg to 1973gg-10), commonly referred to as the *Motor Voter law*, improves access to voter registration by requiring States to provide simultaneous voter registration and driver's license applications, provide a mail-in application, and make registration available at various government agencies.

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The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. Jan M. Chaiken, Ph.D., is director.

BJS Special Reports address a specific topic in depth from one or more datasets that cover many topics. Marika F. X. Litras wrote this report. Lea Gifford provided statistical review. Maurice Galloway and Ellyn Vail of the Administrative Office of the U.S. Courts, Mark Posner of the U.S. Department of Justice, Civil Rights Division, William B. Fenton of the Employment Litigation Section, David H. Hunter of the Voting Section of the Civil Rights Division, and BJS Statisticians Carol J. DeFrances and John Scalia provided substantive comments. Rhonda C. Keith produced and edited the report under the supervision of Tom Hester. Jayne Robinson prepared the report for final publication.

January 2000, NCJ 173427

The primary source of data for tables presented in this report is the Administrative Office of the U.S. Courts Civil Master File. This data file is archived for the Administrative Office of the U.S. Courts by the Federal Judicial Center.

The AOUSC data are based on information received from the U.S. district courts regarding the filing and termination of cases and appeals in the Federal courts. These data are archived at the National Archive of Criminal Justice Data (NACJD) "Federal Court Cases: Integrated Data Base" (Study #8429). Data can be obtained from the archive through 1-800-999-0960 or <http://www.icpsr.umich.edu/NACJD/home.html>

The archive may also be accessed through the BJS website, where the report, data, and supporting documentation are available: <http://www.ojp.usdoj.gov/bjs/>